

**2005 DRAFTING REQUEST**

**Bill**

Received: **06/28/2005**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Employment Relations Dept.**

By/Representing: **Susan Crawford**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - employee benefits**

Extra Copies:

Submit via email: **YES**

Requester's email: **Susan.Crawford@oser.state.wi.us**

Carbon copy (CC:) to: **Paul.Ostrowski@oser.state.wi.us**

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

State employee vacation

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**Instructions:**

See Attached.

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State
/1	rchampag 06/28/2005	csicilia 06/29/2005	pgreensl 06/29/2005		mbarman 06/29/2005		State
/2	rchampag 07/18/2005	wjackson 07/18/2005	pgreensl 07/18/2005		lemery 07/18/2005	lemery 07/19/2005	

FE Sent For: **07/05/2005, 07/18/2005.**

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FE Sent For: **07/05/2005.**

7/1" 7 1/2" 7/18/05  
Susan C.

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/?							State
/1	rchampag 06/28/2005	csicilia 06/29/2005	pgreensl 06/29/2005	7/1/05 1/18px	mbarman 06/29/2005		

FE Sent For:

<END>

07-05-2005  
("1")  
see attached

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Drafter: **rchampag**

Addl. Drafters:

Extra Copies:

Carbon copy (CC:) to: **Paul.Ostrowski@oser.state.wi.us**

No specific pre topic given

## State employee vacation

See Attached.

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

1. js  
6/29  
03

6/29  
03

6/29  
03

<END>

## Champagne, Rick

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**From:** Ostrowski, Paul  
**Sent:** Tuesday, June 28, 2005 11:33 AM  
**To:** Champagne, Rick  
**Cc:** Crawford, Susan - OSER  
**Subject:** Statute Changes

**Importance:** High

The following statute changes need to be drafted as a companion bill to the 2005-2007 Compensation Plan. At a meeting the Joint Committee on Employment Relations will soon be holding to vote on the Compensation Plan, we will ask the committee to forward the companion bill to the full legislature for approval.

Please contact me with any questions or comments.



nonexempt  
vacation statute lan..

Section 230.35 (1) (a) is modified to:

**230.35 State office hours; standard workweek; leaves of absence; holidays. (1) (a)**

Except as provided in subs. (1m), (1r) and (1s), appointing authorities shall grant to each person in their employ, except employees excluded from coverage under this subsection by the department by rule and limited-term employees, based on accumulated continuous state service, annual leave of absence without loss of pay at the rate of:

1. ~~Eighty~~One hundred four hours each year for a full year of service during the first 5 years of service;
2. One hundred ~~twenty-four~~forty-four hours for each year for a full year of service during the next 5 years of service;
- 2m. One hundred ~~thirty-six~~sixty hours for each year for a full year of service during the next 5 years of service;
3. One hundred ~~sixty-eight~~eighty-four hours for each year for a full year of service during the next 5 years of service;
- 3m. ~~One hundred seventy-six~~Two hundred hours each year for a full year of service during the next 5 years of service;
4. Two hundred sixteen hours each year for a full year of service after 25 years of service.



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-3272/1

RAC:.....

*John*  
2005 BILL

*SAV  
x-100*

*- John*

- 1 AN ACT ...; relating to: paid vacation leave for certain nonrepresented state  
2 employees.

*of paid vacation*

---

***Analysis by the Legislative Reference Bureau***

Nonrepresented state employees who are subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act are entitled to 80 hours each year for a full year of service during the first 5 years of service; 120 hours each year for a full year of service during the next 5 years of service; 136 hours each year for a full year of service during the next 5 years of service; 160 hours each year for a full year of service during the next 5 years of service; 176 hours each year for a full year of service during the next 5 years of service; and 200 hours each year for a full year of service after 25 years of service.

This bill increases the paid vacation hours for nonrepresented state employees who are subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act, providing that such employees are entitled to 104 hours each year for a full year of service during the first 5 years of service; 144 hours each year for a full year of service during the next 5 years of service; 160 hours each year for a full year of service during the next 5 years of service; 184 hours each year for a full year of service during the next 5 years of service; 200 hours each year for a full year of service during the next 5 years of service; and 216 hours each year for a full year of service after 25 years of service. ✓

Represented state employees continue to have their annual paid vacation hours determined by the collective bargaining process.

**BILL**

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

✓  
1        **SECTION 1.** 230.35 (1) (a) 1. to 4. of the statutes are amended to read:

2        230.35 (1) (a) 1. ~~Eighty~~ One hundred four hours each year for a full year of  
3        service during the first 5 years of service; ✓

4        2. One hundred ~~twenty~~ forty-four hours each year for a full year of service ✓  
5        during the next 5 years of service; ✓

6        2m. One hundred ~~thirty-six~~ sixty hours each year for a full year of service ✓  
7        during the next 5 years of service; ✓

8        3. One hundred ~~sixty~~ eighty-four hours each year for a full year of service ✓  
9        during the next 5 years of service; ✓

10       3m. ~~One hundred seventy-six~~ Two hundred hours each year for a full year of  
11       service during the next 5 years of service; ✓

12       4. Two hundred sixteen hours each year for a full year of service after 25 years ✓  
13       of service. ✓

**History:** 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109; 2003 a. 22, 33, 117.

(END)



**Barman, Mike**

---

**From:** Crawford, Susan - OSER  
**Sent:** Tuesday, July 05, 2005 9:04 AM  
**To:** Barman, Mike  
**Subject:** FW: Draft review: LRB 05-3272/1 Topic: State employee vacation

Mike, we would like to prepare a fiscal estimate for this draft before it is introduced.  
This is the last one - there are five total.  
Thanks

Susan Crawford  
Executive Assistant  
Office of State Employment Relations  
608-266-9672

---

**From:** Ostrowski, Paul  
**Sent:** Wednesday, June 29, 2005 2:59 PM  
**To:** Crawford, Susan - OSER; Hanks, Paul - OSER  
**Cc:** Wild, Mark  
**Subject:** FW: Draft review: LRB 05-3272/1 Topic: State employee vacation

For your information and review. Note that the LRB has included a sentence stating that additional rep vacation has to be bargained. Also, he mentions the "state fiscal estimate" - I don't know what that would say.

---

**From:** Barman, Mike [mailto:Mike.Barman@legis.state.wi.us]  
**Sent:** Wednesday, June 29, 2005 2:33 PM  
**To:** Ostrowski, Paul  
**Subject:** Draft review: LRB 05-3272/1 Topic: State employee vacation

**Draft Requester: Employment Relations Dept.**

**Following is the PDF version of draft LRB 05-3272/1.**

# Memo

To: Senator ☐ Representative ☐ Susan Crawford-OSER (The Draft's Requester)

**Per your request: ... the attached fiscal estimate was prepared for your unIntroduced 2005 draft.**

LRB Number: LRB -3272

Version: " / 1 "

Fiscal Estimate Prepared By: (agency abbr.) OSER

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 07 / 15 / 2005

\* \* \* \* \*

**To: LRB – Legal Section PA's**

**Subject:** *Fiscal Estimate Received For An Unintroduced Draft*

- > **If redrafted** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version.
- > **If introduced** ... and the version of the attached fiscal estimate is for a **previous version** ... please insert this cover sheet and attached early fiscal estimate into the drafting file ... after the draft's old version (the version that this fiscal estimate was based on), and before the markup of the draft on the updated version. Have Mike (or Lynn) get the ball rolling on getting a fiscal estimate prepared for the introduced version.
- > **If introduced** ... and the version of the attached fiscal estimate is for the **current version** ... please write the draft's introduction number below and give to Mike (or Lynn) to process.

**THIS DRAFT WAS INTRODUCED AS: 2005** \_\_\_\_\_

## Barman, Mike

---

**From:** Barman, Mike  
**Sent:** Friday, July 15, 2005 2:33 PM  
**To:** Crawford, Susan - OSER  
**Subject:** Early FE's Received - Attached Files



CB3263.PDF



CB3264.PDF



CB3265.PDF



CB3266.PDF



CB3272.PDF

## Fiscal Estimate - 2005 Session

☒ Original      ☐ Updated      ☐ Corrected      ☐ Supplemental

<b>LRB Number</b> <b>05-3272/1</b>		<b>Introduction Number</b>	
<b>Subject</b> State employee vacation			
<b>Fiscal Effect</b>  <b>State:</b> <div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate     <input type="checkbox"/> Increase Existing Appropriations     <input type="checkbox"/> Decrease Existing Appropriations     <input type="checkbox"/> Create New Appropriations</div><div style="width: 33%;"><input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues</div><div style="width: 33%;"><input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget                                     <input type="checkbox"/> Yes                      <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs</div></div> <b>Local:</b> <div style="display: flex; flex-wrap: wrap;"><div style="width: 33%;"><input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate     1. <input type="checkbox"/> Increase Costs                      3. <input type="checkbox"/> Increase Revenue         <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory     2. <input type="checkbox"/> Decrease Costs                      4. <input type="checkbox"/> Decrease Revenue         <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory      <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory</div><div style="width: 33%;"><b>5. Types of Local Government Units Affected</b> <div style="display: flex; flex-wrap: wrap;"><div style="width: 50%;"><input type="checkbox"/> Towns      <input type="checkbox"/> Counties <input type="checkbox"/> School Districts</div><div style="width: 50%;"><input type="checkbox"/> Village      <input type="checkbox"/> Others <input type="checkbox"/> WTCS Districts</div><div style="width: 50%;"><input type="checkbox"/> Cities</div></div></div></div>			

## Fiscal Estimate Narratives

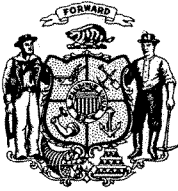
OSER 7/15/2005

LRB Number	05-3272/1	Introduction Number	Estimate Type	Original
<b>Subject</b>				
State employee vacation				

### Assumptions Used in Arriving at Fiscal Estimate

Paid Annual Leave: Increases the vacation schedule hours in s. 230.35 (1)(a), Wis. Stats., for nonrepresented employees who are not exempt from overtime under the Fair Labor Standards Act. The increases are 24 hours for schedule levels that apply to employees with less than 25 years of service and 16 hours for schedule levels that apply to employees with 25 or more years of service. This change will provide the same annual leave provisions as provided to counterparts represented by the Wisconsin State Employees Union in the tentative 2003-2005 collective bargaining agreement. There is no known out-of-pocket cost associated with the use of this additional vacation because when a nonexempt nonrepresented employee takes leave, their essential work is typically covered by other employees during their regularly scheduled hours or the work accumulates and is completed when the employee returns. There is intangible value since salary will be paid for hours not worked. There are approximately 880 employees affected by this increase.

### Long-Range Fiscal Implications



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-3272/1 2

RAC:cjs:pg

+WJ

Th AM

2005 BILL

reyn. C.J.

- 1 AN ACT *to amend* 230.35 (1) (a) 1. to 4. of the statutes; **relating to:** paid vacation  
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14       (END)

Insert 2-14 ✓

**2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3272/2ins  
RAC:cjs:pg

**Insert 2-14:**

**SECTION ~~4~~ Effective date.**

(1) This act takes effect retroactively to January 1, 2005.



## Emery, Lynn

---

**From:** Annen, Kathy  
**Sent:** Tuesday, July 19, 2005 12:52 PM  
**To:** Emery, Lynn  
**Subject:** Bills Jacketed for JCOER  
**Importance:** High

Hi, Lynn.

Please jacket the following as companion bills for JCOER introduction:

### **Assembly**

-3265/1  
-3264/1  
-3266/1  
-3263/1  
-3272/2

### **Senate**

-3379/1  
-3378/1  
-3380/1  
-3377/1  
-3376/1

Thanks much!

**Kathy J. Annen**

Legislative Council  
kathy.annen@legis.state.wi.us  
(608) 266-2987

07/19/2005

# Memo

To: Senator ☐ Representative ☐ Susan Crawford - OSER (The Draft's Requester)

Per your request: ... the attached fiscal estimate was prepared for your unIntroduced 2005 draft.

LRB Number: LRB - 3272

Version: "1 2"

Fiscal Estimate Prepared By: (agency abbr.) OSER

If you have questions about the enclosed fiscal estimate, you may contact the state agency representative that prepared the fiscal estimate. If you disagree with the enclosed fiscal estimate, please contact the LRB drafter of your proposal to discuss your options under the fiscal estimate procedure.

Entered In Computer And Copy Sent To Requester Via E-Mail: 7 / 18 / 2005 <sup>7/26</sup>

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THIS DRAFT WAS INTRODUCED AS: 2005 AB 572

## Emery, Lynn

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**From:** Emery, Lynn  
**Sent:** Monday, July 18, 2005 2:58 PM  
**To:** Crawford, Susan - OSER  
**Subject:** LRB 05-3272/2 (FE by OSER - attached - for your review)



05-3272feOSER.PD

F

Lynn Emery  
Program Assistant  
Legislative Reference Bureau  
608-266-3561  
lynn.emery@legis.state.wi.us